

IN THE CLAIMS

Please amend the claims as follows:

Claim 1 (Currently Amended): An exposure control apparatus ~~which determines~~ configured to determine an exposure value based on ~~[[the]]~~ a luminance of a photographic screen and ~~performs to perform~~ exposure control based on ~~[[the]]~~ a determined exposure value, said exposure control apparatus comprising:

an area generating unit ~~which divides~~ configured to divide the photographic screen into a predetermined number of areas;

a deciding unit ~~which decides~~ configured to decide, for each area generated by said area generating unit, whether a main subject having a high luminance higher than a predetermined luminance threshold exists within ~~that area~~ the areas;

an average luminance calculating unit ~~which calculates~~ configured to calculate an average luminance in ~~[[the]]~~ an area generated by the area generating unit according to ~~[[the]]~~ a decision result by said deciding unit; and

an exposure value determining unit ~~which determines~~ configured to determine an exposure value based on the average luminance ~~in the area~~ calculated by said average luminance calculating unit.

Claim 2 (Currently Amended): The exposure control apparatus according to claim 1, wherein said deciding unit counts pixels, each pixel having a luminance higher than ~~[[a]]~~ the predetermined luminance threshold, out of pixels forming the area and decides whether the count value of ~~[[the]]~~ high luminance pixels exceeds a predetermined count threshold; and  
said average luminance calculating unit calculates the average luminance by using ~~[[the]]~~ luminance per se of the high luminance pixel when the deciding unit decides that the high luminance pixel count value exceeds the predetermined count threshold; in contrast, said

average luminance calculating unit substitutes a predetermined low luminance smaller than the predetermined luminance threshold for ~~[[the]]~~ a luminance of the high luminance pixel so as to calculate the average luminance when the deciding unit decides that the high luminance pixel count value is equal to or smaller than the predetermined count threshold.

Claim 3 (Currently Amended): The exposure control apparatus according to claim 2, further comprising a parameter table ~~which stores~~ configured to store therein a plurality of parameter groups, each of which includes the predetermined luminance threshold, the predetermined count threshold and the predetermined low luminance,

wherein said deciding unit and said average luminance calculating unit select the parameter group according to an exposure condition.

Claim 4 (Original): The exposure control apparatus according to claim 3, wherein the parameter group per area generated by said area generating unit is stored in the parameter table, and said deciding unit and said average luminance calculating unit select the parameter group according to the area generated by said area generating unit.

Claim 5 (Currently Amended): The exposure control apparatus according to claim 3, wherein said parameter table stores ~~[[the]]~~ a plurality of low luminances in the parameter groups, and said average luminance calculating unit selects the low luminance according to the high luminance pixel count value.

Claim 6 (Currently Amended): The exposure control apparatus according to claim 4, wherein said parameter table stores ~~[[the]]~~ a plurality of low luminances in the parameter groups, and said average luminance calculating unit selects the low luminance according to

the high luminance pixel count value.

Claim 7 (Currently Amended): The exposure control apparatus according to claim 3, wherein said parameter table stores ~~[[the]]~~ a plurality of count thresholds in the parameter groups, and said deciding unit selects the count value according to the exposure condition.

Claim 8 (Currently Amended): The exposure control apparatus according to claim 4, wherein said parameter table stores ~~[[the]]~~ a plurality of count thresholds in the parameter groups, and said deciding unit selects the count value according to the exposure condition.

Claim 9 (Currently Amended): An exposure control apparatus comprising:  
an area generating unit ~~which divides~~ configured to divide a screen into a predetermined number of areas;  
a deciding unit ~~which decides~~ configured to decide in which area of the screen a subject having a ~~high~~ luminance higher than a predetermined threshold is included;  
an average luminance calculating unit ~~which calculates~~ configured to calculate an average luminance in that area of the screen which said deciding unit decides as including the subject; and  
an exposure value determining unit ~~which determines~~ configured to determine an exposure based on the average luminance calculated by said average luminance calculating unit.

Claim 10 (Currently Amended): An exposure control method ~~which~~ that determines an exposure value based on the luminance of a photographic screen and performs exposure control based on the determined exposure value, said exposure control ~~apparatus~~ method

comprising:

~~an area generating step which divides~~ dividing the photographic screen into a predetermined number of areas;

~~a deciding step which decides~~ deciding, for each area ~~generated by said area generating step~~, whether a main subject having a ~~high~~ luminance higher than a predetermined luminance threshold exists within that area;

~~an average luminance calculating step which calculates~~ calculating an average luminance in ~~[[the]] each area generated by the area generating step~~ according to ~~[[the]] a~~ decision result ~~[[by]] of said deciding step~~; and

~~an exposure value determining step which determines~~ determining an exposure value based on the average luminance in the area calculated ~~[[by]] in said average luminance calculating step~~.

Claim 11 (Currently Amended): The exposure control method according to claim 10, wherein said deciding ~~step~~ counts pixels, each pixel having a luminance higher than ~~[[a]] the~~ predetermined luminance threshold, out of pixels forming the area and decides whether ~~[[the]] a~~ count value of the high luminance pixels exceeds a predetermined count threshold; and

said ~~average luminance calculating step~~ further calculates ~~[[the]] an~~ average luminance by using ~~[[the]] luminance per se of [[the]] a high luminance pixel when the deciding step decides that [[the]] a high luminance pixel count value exceeds [[the]] a predetermined count threshold; in contrast, said average luminance calculating step substitutes a predetermined low luminance smaller than the predetermined luminance threshold for the luminance of the high luminance pixel so as to calculate the average luminance when the deciding step decides that the high luminance pixel count value is equal~~

Application No. 09/839,294  
Reply to Office Action of December 15, 2004

to or smaller than the predetermined count threshold.